

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 4:06CR166-P-B**

**ANTHONY HOWARD,**

**DEFENDANT.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon the Government's motion for a continuance of trial [30]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for July 2, 2007. The Government requests a continuance because one of its material witnesses is unavailable for trial because of prior court commitments.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(3)(A), the period of delay from July 2, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(3)(A) because, given the circumstances described above, a continuance is necessary to facilitate attendance of a material and essential witness.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) The Government's Motion for Continuance [30] is hereby **GRANTED**;
- (2) Trial of this matter is continued until Monday, August 20, 2007 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from July 2, 2007 to August 20, 2007 is excluded from Speedy Trial Act considerations as set out above;
- (4) The deadline for filing pretrial motions is July 30, 2007; and



(5) The deadline for submitting a plea agreement is August 6, 2007.

**SO ORDERED** this the 25<sup>th</sup> day of June, A.D., 2007.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE